

PUBLIC SAFETY DEPARTMENT[661]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 103A.7, the Building Code Commissioner, with the approval of the Building Code Advisory Council, hereby amends Chapter 301, “State Building Code—General Provisions,” Iowa Administrative Code.

Iowa Code section 103A.7 authorizes the Building Code Commissioner, with the approval of the Building Code Advisory Council, to adopt provisions of the State of Iowa Building Code, including those relating to the installation of equipment and to the protection of the health, safety, and welfare of occupants and users. The Building Code Commissioner has authority to require installations of fire protection equipment in construction subject to the State of Iowa Building Code. As part of the general adoption of new editions of nationally recognized codes which are adopted by reference within the State Building Code, effective January 1, 2010, requirements were included to provide that all newly constructed one- and two-family residences and townhouses be equipped with fire sprinklers. These requirements were amended to delay the implementation date after which sprinklers would be required until January 1, 2013.

During its 2010 Session, the Iowa General Assembly adopted 2010 Iowa Acts, Senate Joint Resolution 2009, which nullified “portions of 661 Iowa administrative code, rule 301.8, that adopt by reference sections R313.1 and R313.2 of the international residential code, 2009 edition, and that amend sections R313.1 and R313.2, by deleting and inserting in lieu thereof and providing exceptions thereto.” Sections R313.1 and R313.2 of the International Residential Code, 2009 edition, are the sections which require the inclusion of sprinklers in new townhouse construction (section R313.1) and in one- and two-family residences (section R313.2). The rule making undertaken here rescinds the whole of rule 661—301.8(103A) in which the International Residential Code, 2009 edition, is adopted by reference and readopts the International Residential Code, 2009 edition, with all of the amendments originally adopted except that the two sections which require installation of residential sprinklers are deleted.

Pursuant to Iowa Code section 17A.4(3), the Building Code Commissioner finds that notice and public participation are unnecessary because 2010 Iowa Acts, Senate Joint Resolution 2009, was effective upon enactment. The adoption of the rule as phrased herein will serve to make it clear that the requirements which are contained in the International Residential Code for installation of sprinklers in one- and two-family residences and townhouses are not in effect in the State of Iowa Building Code. Since the point of the amendment is strictly clarification of the requirements in effect in the State Building Code, rather than to change the substance of those requirements, immediate adoption is appropriate.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Building Code Commissioner further finds that the normal effective date of this amendment, 35 days after publication, should be waived and the amendment made effective May 1, 2010. Having the amendment go into effect immediately confers a benefit on the public by clarifying that requirements regarding residential sprinklers have been deleted.

This amendment is also being proposed in a Notice of Intended Action, published herein as **ARC 8770B**, in order to provide an opportunity for public comment. In addition, the Notice of Intended Action proposes two additional amendments to the adoption of the International Residential Code to restore fire safety requirements from the prior edition (2006) of the International Residential Code which were reduced because of the enhanced level of fire safety which would have been provided by residential sprinklers.

This amendment is intended to implement Iowa Code section 103A.7 and is consistent with 2010 Iowa Acts, Senate Joint Resolution 2009.

This amendment became effective May 1, 2010.

The following amendment is adopted.

Rescind rule 661—301.8(103A) and adopt the following **new** rule in lieu thereof:

661—301.8(103A) Residential construction requirements. The provisions of the International Residential Code, 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, are hereby adopted by reference as the requirements for construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures, with the following amendments:

Delete section R101.1.

Delete sections R103 to R114 and sections therein.

NOTE: The values for table R301.2(1) shall be determined by the location of the project and referenced footnotes from table R301.2(1).

Delete chapter 11.

Delete all references to the “International Plumbing Code” and insert in lieu thereof “state plumbing code.”

Delete section R310.1 and insert in lieu thereof the following new section:

R310.1 Emergency escape and rescue required. Basements and every sleeping room shall have at least one operable emergency and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above an adjacent permanent interior standing surface. The adjacent permanent interior standing surface shall be no less than 36 inches wide and 18 inches deep and no more than 24 inches high. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

EXCEPTION: Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m²).

Delete section R313.1.

NOTE: Deletion of section R313.1, which would have required the installation of sprinklers in newly constructed townhouses, is consistent with 2010 Iowa Acts, Senate Joint Resolution 2009.

Delete section R313.2.

NOTE: Deletion of section R313.2, which would have required the installation of sprinklers in newly constructed one- and two-family residences, is consistent with 2010 Iowa Acts, Senate Joint Resolution 2009.

Amend section R322.1.7 by striking the words “Chapter 3 of the International Private Sewage Disposal Code” and inserting in lieu thereof “567 Iowa Administrative Code Chapter 69.”

Delete section R907.3 and insert in lieu thereof the following new section:

R907.3 Recovering versus replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings where any of the following conditions exist:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.

2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos cement tile.

3. Where the existing roof has two or more applications of any type of roof covering.

Delete chapter 24 and sections therein and insert in lieu thereof the following new section:

All fuel gas piping installations shall comply with rule 661—301.9(103A).

Delete chapters 25 to 33 and sections therein, except for section P2904, and insert in lieu thereof the following new section:

All plumbing installations shall comply with the state plumbing code as adopted by the state plumbing and mechanical systems board pursuant to Iowa Code chapter 105.

EXCEPTION: Factory-built structures, as referenced by Iowa Code section 103A.10(3), that contain plumbing installations are allowed to comply with either the state plumbing code or with the International Plumbing Code, 2009 edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041. The manufacturer's data plate must indicate which plumbing code was utilized for compliance with this rule, as required by 661—paragraph 16.610(15) "e."

Delete chapters 34 to 43 and sections therein and insert in lieu thereof the following new section:

All electrical installations shall comply with National Electrical Code, 2008 edition, as amended by rule 661—301.5(103A).

Delete appendices A through Q.

[Filed Emergency 4/30/10, effective 5/1/10]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/19/10.